

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

TIMOTHY FIEBIG *et al.*

Plaintiffs,

V.

LUTHER BURBANK SAVINGS *et al.*,

## Defendants.

Case No.: C-12-00755 YGR

**ORDER REGARDING PLAINTIFFS' FAILURE TO  
FILE AN OPPOSITION TO DEFENDANT'S  
MOTION TO DISMISS**

On March 16, 2012, Defendant Luther Burbank Savings filed a Motion to Dismiss. Dkt. No.

8. The hearing on the motion is set for April 24, 2012. Plaintiffs' opposition was due on April 2, 2012. *See* Civ. L.R. 5-5(a) & 7-3(a); Fed. R. Civ. P. 6.

To date, Plaintiffs have failed to oppose the Motion. Plaintiffs shall file an opposition to the Motion to Dismiss no later than April 23, 2012. Failure to file an opposition by that date will result in dismissal of the action against this Defendant for failure to prosecute. Defendant's reply must be served and filed not more than 7 days after the opposition is served and filed. Civ. L.R. 7-3(c).

The hearing date of April 24, 2012 is hereby **VACATED**. The Court re-sets the hearing for **May 8, 2012 at 2:00 p.m.**

## IT IS SO ORDERED.

Dated: April 9, 2012

*Yvonne Gonzalez Rogers*  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**